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REPLY TO Wilmington Office

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Via ECF and Hand Delivery

The Honorable Gregory M. Sleet
United States District Court
844 North King Street
Lock Box 19
Wilmington, DE 19801

REDACTED VERSION DI 338

RE: Talecris Biotherapeutics, Inc. & Bayer Healthcare LLC v. Baxter International, Inc. and Baxter Healthcare Corp., C.A. No. 05-349-GMS

Dear Judge Sleet:

I am writing further to the discussion at yesterday's pretrial conference regarding the scheduling issues concerning Mr. James Giblin, the retired Bayer in-house attorney who prosecuted the '191 patent in suit and who was accused of inequitable conduct on Friday, June 8, 2007, as more fully set forth in the attached letter from Ms. Rogaski. I conferred with Mr. Giblin who lives outside of San Francisco, California, late last night. I report the following:

1. Mr. Giblin remains unavailable for in-person attendance during the weeks of July 9 and 16.

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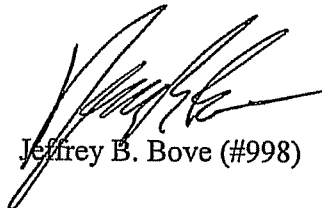
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4. Mr. Giblin also has commitments to other pro bono service where he provides services to clients on a regular basis at his senior center and thus has important client meetings scheduled before his active grand jury service commences.

5. Despite the foregoing, Mr. Giblin has indicated he could voluntarily appear for a brief deposition on Saturday, June 30, 2007, in San Francisco. Since Baxter has explicitly indicated that its charges against Mr. Giblin are directed to two patents and the Gamimune N. product, and Baxter has represented to the Court that it "will require no new discovery, and by its motion Baxter seeks to conform the pleadings with the evidence it has obtained during discovery", it would seem that Mr. Giblin's deposition could be videotaped and limited to a few hours of examination by both Talecris and Baxter.

We await guidance from the Court concerning the foregoing.

Respectfully submitted,



Jeffrey B. Bove (#998)

JBB/llw

Enclosure

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